



**BOARD OF SELECTMEN  
TOWN OF TEWKSBURY  
TOWN HALL  
1009 MAIN ST  
TEWKSBURY, MASSACHUSETTS 01876**

**TODD R. JOHNSON, CHAIRMAN  
BRUCE PANILAITIS, Ph.D., VICE CHAIRMAN  
MARK S. KRATMAN, CLERK  
DAVID H. GAY  
JAMES D. WENTWORTH**

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## **MEETING MINUTES JUNE 23, 2015**

Chairperson Todd Johnson called the meeting to order at 7:00 p.m. Present for the Board of Selectmen meeting were Bruce Panilaitis, David Gay, James Wentworth and Mark Kratman. Richard Montuori, Town Manager, was also present. Attorney Charles Zaroulis, Senior Town Counsel, was not present

### **Scheduled Items**

#### **Military Citations**

The Selectmen presented citations for military service to the following high school graduates of Tewksbury: Kevin Duggan, United States Navy and Joshua Cho, Army National Guard.

#### **Rail Trails—Report and Update**

Report was tabled until the next meeting.

#### **Public Events and Celebrations Committee**

Present for this discussion were Mary Jo Melloni, Cheryl Gay, Susan Boucher, Erin Knyff and David Gay is also a member; not present for the Public Events and Celebrations Committee was Elaine Krauss and Moira Gray.

The committee wanted to give an update on the 2<sup>nd</sup> Annual Harvest Festival scheduled for Sunday September 13 from 12 noon to 5:00 p.m. The event will be held at the Livingston Street fields as previously held.

The event will include numerous food vendors, crafters, entertainment, rides and games. TJ Callahan's will be the only establishment to serve beer and wine with a one-day license as provided last year. Discussions with Dawn Callahan are underway.

Any vendors should contact Cheryl Gay at [tpec2014@gmail.com](mailto:tpec2014@gmail.com). All will have adequate space. Instead of supplying space on a first come first served basis, vendors will follow a numbering system with an assigned spot. A set timeslot for arrival the day of the event will also be provided in order to keep vendor traffic on the field at a minimum

Other improvements from last year will be:

- A visible information booth which will include a lost/found area, medical assistance, mapping for the event layout, show times and other pertinent information as needed
- A tented area with tables and chairs for patrons to enjoy a bite to eat and relax while watching the entertainers
- More port-o-potties, trash and recycle receptacles will be placed throughout the field

Chief Riggs of the Tewksbury State Hospital has offered the event use of the State Hospital's parking lots as they have previously done for the holiday event. The use of these lots along with a shuttle service made parking and traffic a nonfactor during the December holiday event. A shuttle service will be provided by Tewksbury Transit and will consist of two buses. Routes will run to and from the State Hospital to Livingston Street keeping traffic at a minimum. It was mentioned that if the committee decided to close Livingston Street, they would need to work with Police Safety Officer Welch and apply for permission from Mass DOT. At this time the committee is not closing Livingston but want to limit traffic as much as possible. Parking would be available at the top of hill for vendor parking (across from softball fields) and the Recreation Center will also have parking for handicapped tagged vehicles. The committee would like to use the Wynn School, if possible, as this would be an easy walk through to Livingston Street. The committee will reach out to the school department for use.

Mapping of the area for the event was discussed and once finalized will be made available to the public.

Volunteers are needed for ages 18+ to help with parking. Other volunteers, who could be under 18, are needed for field events and games. Teens seeking community service hours should contact Cheryl Gay at [tpec2014@gmail.com](mailto:tpec2014@gmail.com) for an opportunity to serve at this event.

It is estimated over 4,000 residents attended the festival last year; and off-duty officers had to be called in to help with traffic. Mr. Montuori was instrumental in helping to get this under control. This was a surprise to the committee as it was an overwhelming response. Volunteers are very much needed and residents are encouraged to serve in order to help make the event run smoothly. Signup Genius will be used to gain support for volunteers.

The selectmen suggested, and the committee agreed, to work with other businesses that have larger parking lots to use those lots and create more shuttle stops, i.e. behind Jon Ryan's Pub.

Mrs. Gay asked for other community groups to contact her if they would like to be part of the planning for the Harvest Festival.

There is a small cost to the vendors for their spot. There is no cost to nonprofits; however some nonprofits make donations that go back to the Public Events and Celebrations Committee fund which helps to fund future events of this type for the town.

Mr. Kratman noted the application for road to closure is very easy to do with the Department of Transportation.

Mr. Wentworth asked if the committee had thought about a subcommittee for the Harvest Festival as resident may want to help plan this event but not other events for the town. Mrs. .Gay stated anyone interested would be considered a volunteer for this event.

The Chair thanked all for coming and Selectmen Gay for all the participation on this event and others throughout the course of the year.

### **Energy Aggregation Plan**

Mr. Montuori discussed that he did execute a contract with Colonial Power to be our sponsor. He will need the Selectmen to approve an energy aggregation plan. The plan will outline the process with the

Commonwealth and responsibilities of the consultant for the work that needs to be done with a supplier. The plan is consistent with other plans surrounding cities and towns have used throughout the Commonwealth. Mr. Mark Cappadonnato of Colonial Power was present to explain the Energy Aggregation Plan. Mr. Montuori noted the plan is very straight forward and is laid out consistent to what was described at the Annual Town Meeting.

Mr. Cappadonnato explained once the plan is approved at Town Meeting, the town will then seek approval of its plan from the Department of Energy. Following the approval from the Department of Energy, the plan will need approval from the Department of Public Utilities, and then to a public hearing will be held for resident of Tewksbury. Upon conclusion of the public hearing, interrogatories will be conducted and the town will be issued an order. Tewksbury is not committed to do anything upon the order being issued. The order document only approves the town to go and test the marketplace. This is an “opt-out” aggregation plan. It will also allow the community to have a consumer-centric plan. Colonial Power will take phone calls from the public, make sure mailings go out, will set up community meetings. This service will be at no cost to the town and will not add any staff or work to the current staff members. The plan explains the org structure, operations plan, staffing, the fee (added to the price of energy), and who is eligible for enrollment (open to all residents). All basic service customers will be on the mailing.

The Selectmen asked if Colonial Power had found the best way to educate the public on this program. Mr. Cappadonnato explained every community is different. Most important message is the energy would never run out as National Grid would maintain the electricity no matter what.

Rate setting, billing, and all costs were also included in the plan.

The Town is in a better position to negotiate rates since it has already done this with Constellation Energy.

If the Selectmen were to approve the plan tonight, it would get a very fast turnaround time for the application. There is no guarantee, but Mr. Cappadonnato is hoping to have the program in place by November. In order to accomplish this, an order will need to be in place by the second week in September.

Colonial Power has five employees and is currently serving 17 communities. It also has a total of 35 applications at DPU and another 27 in pipeline. Residents can come in and out of the plan at anytime; but larger users may have some restrictions if they left the plan. The larger users would be reinstated at current market price. The contract plan would be for anyone who is resident of Tewksbury. Even if all users left the contract, the plan would still be in place. All residents are still about to seek out alternative providers, even other aggregates if they choose.

Mr. Montuori is requesting approval of the plan by the Selectmen this evening. There are no changes to the proposed Tewksbury version from the other plans Colonial Power has submitted from surrounding communities.

The Selectmen requested residents to be fully informed so they can fully appreciate their options. A communication plan is needed as soon as possible. Energy efficiency discounts will be available similar to the Mass Save programs.

Discussion took place on an Energy Management position as an employee of the town. The position is not a requirement, but would be an action of the Selectmen to implement.

**MOTION: Mr. Panilaitis made the motion to adopt the Energy Aggregation Plan as presented by Mr. Montuori; seconded by Mr. Wentworth and the motion carried 5-0.**

The plan will be posted on the town's website and a notification will be sent.

### **Residents**

The Chair opened the hearing up to the public and no one came forward to speak on any topics.

### **New Business**

#### **2015 Annual Appointments**

##### **Board of Registrars**

**MOTION: Mr. Gay made the motion to reappoint Mrs. Ruth Teague to the Board of Registrars for a three-year term as of July 1, 2015 through June 30, 2018; Mr. Panilaitis seconded and the motion carried 5-0.**

##### **Computer Study Committee**

**MOTION: Mr. Panilaitis made the motion to reappoint Mr. Paul J. Salvato to the Computer Study Committee for a one-year term as of July 1, 2015 through June 30, 2016; Mr. Wentworth seconded and the motion carried 5-0.**

##### **Conservation Commission**

**MOTION: Mr. Gay made the motion to reappoint Mr. Anthony Ippolito and Mr. Jonathan Parker to the Conservation Commission for a three-year term as of July 1, 2015 through June 30, 2018; Mr. Wentworth seconded and the motion carried 5-0.**

##### **Council on Aging**

No action was taken on this application, the Selectmen will interview for the open seat.

##### **Economic Development Committee**

**MOTION: Mr. Panilaitis made the motion to reappoint Mr. Brian Linder, Mr. Marko B. Duffy, Mr. Michael G. Monahan, Mr. Timothy H. Barnes, Mr. Joseph Carriere, and Mrs. Patricia A. Lelos to the Economic Development Committee for a one-year term as of July 1, 2015 through June 30, 2016; Mr. Gay seconded and the motion carried 5-0.**

**MOTION: Mr. Kratman made the motion to add two associate member positions to the Economic Development Committee for the term of one-year each; seconded by Mr. Panilaitis and the motion carried 5-0.**

**MOTION:** Mr. Gay made the motion to appoint Mr. Leonard A. Adjete as an Associate Member to the Economic Development Committee for a one-year term as of July 1, 2015 through June 30, 2016; Mr. Panilaitis seconded and the motion carried 5-0.

**MOTION:** Mr. Panilaitis made the motion to abolish the Economic Development Process Review Committee; seconded by Mr. Kratman and the motion carried 5-0.

#### Green Committee

**MOTION:** Mr. Gay made the motion to table appointments to the Green Committee to July 14, 2015; seconded by Mr. Panilaitis and the motion carried 5-0.

#### Historic Commission

Town Counsel is researching if there is a conflict in a town meeting decision with the Commonwealth's statute. All openings have been posted.

**MOTION:** Mr. Panilaitis made the motion to table appointments to the Historic Commission; seconded by Mr. Kratman and the motion carried 5-0.

#### Local Housing Partnership

**MOTION:** Mr. Wentworth made the motion to reappoint Mrs. Laura Caplan to the Local Housing Partnership for a three-year term as of July 1, 2015 through June 30, 2018; Mr. Kratman seconded and the motion carried 5-0.

#### Cultural Council

There are 17 current openings on the council and 4 individuals have expressed interest in continuing.

**MOTION:** Mr. Kratman made the motion to reappoint Ms. Heidi Morgans to the Cultural Council for a three-year term as of July 1, 2015 through June 30, 2018; Mr. Panilaitis seconded and the motion carried 5-0.

There are three other members who have not responded if they would like to be reappointed—the Selectman's Office will follow up.

#### Public Events & Celebrations Committee

There is one is posted position due to a resignation and the other two members are interested in reappointment.

**MOTION:** Mr. Gay made the motion to reappoint Mrs. Mary Jo Melloni and Mrs. Moira J. Gray to the Public Events & Celebrations Committee for a one-year term as of July 1, 2015 through June 30, 2016; Mr. Wentworth seconded and the motion carried 5-0.

#### Recycling Committee

**MOTION:** Mr. Kratman made the motion to reappoint Mr. Greg Tuers to the Recycling Committee for a one-year term as of July 1, 2015 through June 30, 2016; Mr. Panilaitis seconded and the motion carried 5-0.

Beautification Committee

**MOTION:** Mr. Wentworth made the motion to reappoint Mr. Daniel Elliman, Mr. Douglas W. Sears, Ms. Francesca Frazier, Mrs. Jacqueline Stone, Ms. Nancy J. Gentile, Mrs. Paige Ferry Impink, and Ms. Tracy Clement to the Beautification Committee for a one-year term as of July 1, 2015 through June 30, 2016; Mr. Kratman seconded and the motion carried 5-0.

Town Center Master Plan Committee

**MOTION:** Mr. Gay made the motion to reappoint Mr. Brian K. Charron, Mrs. Jaqueline Stone, Mr. Jonathan T. Ciampa, Mr. Robert J. Bodoni, and Mr. Scott D. Wilson, to the Town Center Master Plan Committee for a one-year term as of July 1, 2015 through June 30, 2016; Mr. Wentworth seconded and the motion carried 5-0.

Senior Town Counsel

**MOTION:** Mr. Gay made the motion to reappoint Mr. Charles Zaroulis, to the position of Senior Town Counsel for a one-year term as of July 1, 2015 through June 30, 2016; Mr. Wentworth seconded and the motion carried 5-0.

Town Counsel

**MOTION:** Mr. Gay made the motion to reappoint Mr. Kevin Feeley, to the position of Town Counsel for a one-year term as of July 1, 2015 through June 30, 2016; Mr. Kratman seconded and the motion carried 5-0.

Zoning Board of Appeals

**MOTION:** Mr. Wentworth made the motion to reappoint Mr. Robert Dugan to the Zoning Board of Appeals for a three-year term as of July 1, 2015 through June 30, 2018; Mr. Gay seconded and the motion carried 5-0.

**MOTION:** Mr. Gay made the motion to reappoint Ms. Dianne P. Bartalamia, Mr. Jamie M. Doherty as Associate Members (not a voting position) to the Zoning Board of Appeals for a one-year term as of July 1, 2015 through June 30, 2016; Mr. Wentworth seconded and the motion carried 5-0.

The postings for the Beautification Committee, Council on Aging, Historic Commission, Mass Cultural Commission, Public Events & Celebrations Committee, Recycling Committee and Associate Member to the Economic Development Committee, are now or will be posted. Interested parties should fill out applications. The Selectmen will exercise right to conduct interviews. Tabled positions will continue to operate as currently appointed until the positions are replaced.

### **Keno to Go**

The Selectmen took no action on this application.

### **Tewksbury Rotary Zombie 5K Run/Walk**

Route is consistent with the route starting at Tewksbury Memorial High School and loops back to the school. There were no objections with the Police Safety Officer or the Fire Department.

**MOTION: Mr. Gay made the motion to approve the application for the Tewksbury Rotary Zombie 5K Run/Walk on Sunday, October 4, 2015 at 10:00 a.m. contingent upon recommendation by Safety Officer Welch; Mr. Kratman seconded and the motion carried 5-0.**

### **Town Manager**

#### **Town Counsel Invoice**

**MOTION: Mr. Panilaitis made the motion to approve the Town Counsel's invoice in the amount of \$2,125.00 for June 2015; Mr. Kratman seconded and the motion carried 5-0.**

#### **Recycling Battery Program**

Chair of Recycling Committee requested funding for a town battery drop off program, and Mr. Montuori was able to provide funding to continue the program for this year and for other programs as needed for the recycling efforts in town.

#### **South Fire Station Cell Tower**

The lease expires on July 15, 2015 and the contract was a 10-year lease. Mr. Montuori will reissue an RFP for a carrier to stay on the current site. Sprint is the current owner. There are no other options to move the cell tower due to wetlands close to the property lines. If the tower is removed the town will need to rebuild it. The tower specs will need to be 100-120 feet in height as required for our town-wide communications systems. It would be at the cost of the town to rebuild the tower. The site could be improved with plantings and painting. The Selectmen agreed with Mr. Montuori to commit to improving the aesthetics of the cell tower. The RFP is done and will be sent out for advertisement by the end of July. No votes were needed on this topic.

Mr. Montuori also noted that an RFP is out to bid for Wamesit Indian Park and next RFP would be to improve Muster Park.

#### **Outstanding minutes June 9, 2015**

The minutes were tabled by the Clerk. They are completed but not reviewed. These will be presented next meeting.

#### **Board Member Reports**

##### **Mark Kratman**

- Beautification Committee will meet on July 6<sup>th</sup>

##### **David Gay**

- Service continues to be good on LRTA; Lowell improvements going well
- Attended the Metropolitan Planning Organization meeting last Tuesday; Route 38 improvements are in the works; preconstruction meeting has been held; Mass DOT looking for office space and staging area—according to Selectman Kratman

### **James Wentworth**

- Thursday, June 25, at 6:30 p.m. a public meeting will be held at the Tewksbury Senior Center will be on the utilization of the funds from the grant to construct a dog park at Rogers Street Park.
- Tewksbury Lions Club supports the Tewksbury Food Pantry with a golf tournament fundraiser; if interested reach out to Selectmen's office for information; the tournament will be held on July 27, 2015 at the Campbell's Scottish Club in Salem, New Hampshire.
- Sent an email to fellow selectmen regarding the Massachusetts Fiscal Alliance or massfiscal.org and their mission to adjust the campaign finance laws; he is requesting the selectmen to support this resolution as proposed to control all contributions up to a certain amount and for corporate donations not to be allowed—no decision is needed tonight but would like further discussion

### **Bruce Panilaitis**

- Economic Development Committee has not met; a meeting will be planned soon with the newly appointed members
- Town Center Master Plan Committee did meet last Tuesday with the new consultant Cecil Group; the team established a timeline and milestones for the project; a public visioning session will be held early September and followed up in early November for public input into the process; a Facebook page will be up soon.
- Youth soccer had 10-11 teams make into the Commissioners Cup and a few teams won the commissioners cup; Tewksbury will host the Mass Cup Tournament at Frasca Field this weekend—Mr. Wentworth noted this event needs volunteers
- Thanked all who came out for the Habitat for Humanity build last week

### **Todd Johnson**

- Transfer of cemetery land and Rep Miceli in his opinion the board is not needed for this meeting and is being presented tomorrow; Rep Miceli is optimistic he will be able to advance this topic
- Rep Lyons outstanding issue with government and he is active and should be receiving call to have an update with delegation on items requested by board
- Recognized and paid respects tonight to the young men who are entering the military; does not mean we have completed that mission; if missed any resident, we take responsibility and opportunity very seriously need assistance of community members to bring to our attention

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The Selectmen are now entering into the summer season and will meet once in July and once in August. The Selectmen wished all residents to be safe in their summer activities and enjoy time with family.

The next meeting will be held on July 14, 2015 at 7:00 p.m.



*Adjournment*

**MOTION:** Mr. Wentworth made the motion to adjourn at 9:20 p.m.; Mr. Kratman seconded, and the motion carried 5 to 0.

*Approved by the Board of Selectmen on July 14, 2015*